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Attorney General Ferguson announces investigation into Catholic Church's handling of child sex abuse allegations



FOR IMMEDIATE RELEASE:

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Seattle Archdiocese refusing to cooperate with subpoenas

SEATTLE — Attorney General Bob Ferguson today announced his office is initiating legal action against the Seattle Archdiocese. The Archdiocese has refused to comply with Ferguson's investigation into whether the three Washington dioceses of the Catholic Church used charitable funds to cover up allegations of child sex abuse by clergy.

The Attorney General's Office sent subpoenas to the Seattle Archdiocese, the Diocese of Spokane and the Diocese of Yakima. The Seattle Archdiocese refused to cooperate. Consequently, Ferguson filed a petition to enforce the subpoena in King County Superior Court (https://agportal-s3bucket.s3.us-west-2.amazonaws.com/uploadedfiles/Another/News/Press_Releases/PetEnforce.pdf?VersionId=Xgau1gCacPczl2excZXXkurnYzSRKhPH). The office is asking the court to hear the petition on May 22.

The Attorney General's Office has a longstanding policy that it does not comment on investigations, including confirming whether they exist. Because the Seattle Archdiocese refused to comply with the office's subpoena, the office now must seek a court order to move the investigation forward. This process made the investigation public.

"Washingtonians deserve a public accounting of how the Catholic Church handles allegations of child sex abuse, and whether charitable dollars were used to cover it up," Ferguson said. "As a Catholic, I am disappointed the Church refuses to cooperate with our investigation. Our goal is to use every tool we have to reveal the truth, and give a voice to survivors. If you or a loved one have been impacted by clergy abuse, please contact my office."

Survivor Esther Lucero-Miner issued a statement in support of the investigation (https://agportal-s3bucket.s3.us-west-2.amazonaws.com/uploadedfiles/Another/News/Press_Releases/Lucero-Miner%20statement.pdf?VersionId=4Q4s0b9nNw.Bg.E8gnf9NH.wdMaTe_sf): "Like too many other women (and men too), I experienced sexual abuse at the hands of a priest, my Catholic pastor. ... For years, I believed that family and friends and the community, would believe and defend the priest. I was terrified of being labeled and becoming an outcast, so I kept quiet. For too long, I felt estranged from my community of faith. I was reticent to go to church because I did not trust that I would be safe in what should be a holy and sacred place, this abuse engulfed my life. For me, the struggle is not over. As with any significant injury, the pain of the incident never completely goes away. ... I strongly support the investigation by the Attorney General into the Catholic dioceses of Washington state. It is long overdue in my opinion and will be an important step in the healing that our Church deserves."

Advocacy organization Heal Our Church offered a statement (https://agportal-s3bucket.s3.us-west-2.amazonaws.com/uploadedfiles/Another/News/Press_Releases/HOC%20statement.pdf?VersionId=XDmRpFhJ9bPNqn405e5WA63kt151Fw8j): "For too long the faithful have been kept in the dark regarding the 'how and why' of this sordid chapter of Church history. We call on the Church, and its legal representatives, to cooperate fully with the investigation by granting full access to all relevant records, including internal chancery memos, attorney correspondence and financial information. Church members and survivors deserve no less."

If the investigation reveals any violation of the law, the Attorney General's Office will take all steps within its power to seek justice, and to put in place any appropriate oversight and monitoring to ensure that children are not exposed to abuse in the future.

Survivors of clergy sexual abuse and their loved ones can contact the Attorney General's Office at 833-952-6277.

Legal approach

The Attorney General's Office has authority under the Charitable Trusts Act to investigate organizations' use of charitable funds.

The three Catholic dioceses in Washington are organized as a special type of corporation under Washington law — a "corporation sole" — that holds assets in trust for religious and charitable purposes. The Attorney General's investigation is aimed at uncovering whether these charitable funds were used to conceal the sexual abuse of Washingtonians.

There is reason to believe that the Seattle Archdiocese knew about certain priests' abusive behavior, but used its resources to protect and support the abusers instead of their victims. For example, publicly available information indicates that the Seattle Archdiocese knew for decades that Father Michael J. Cody repeatedly sexually abused children, but it allowed him to stay in positions of power and moved him to different parishes periodically to hide his predations, giving him access to new victims while continuing to support him financially.

Calls for transparency

When Ferguson opened his investigation, he and his team reached out to organizations supporting and advocating for survivors of childhood sexual abuse. At the center of these conversations has been the desire that people of faith have to bring daylight to allegations of sexual abuse and efforts to cover up that abuse.

The Catholic Church has in recent years made a number of reports about clergy sexual abuse, including publicizing the names of current and former priests that it determined to have been "credibly" accused of sexual abuse.

These claims are evaluated by the church itself. When state attorneys general have conducted their own investigations, some have found a dramatically greater number of credible allegations.

For example, when the Illinois Attorney General's Office published its report in 2023 (<https://clergyreport.illinoisattorneygeneral.gov/>), it listed four times as many substantiated child sex abusers than the dioceses of Illinois had previously disclosed — 451 compared to 103.

Investigation timeline

The Attorney General's Office has primarily civil legal authority, a significant difference from other states that have announced similar investigations. Many states have used grand juries to conduct their investigations, an authority the attorney general does not have in Washington.

In 2021, Washington State Supreme Court issued a decision (<https://www.courts.wa.gov/opinions/pdf/961328.pdf>) that said a statutory religious exemption from a state law did not cover a church's secular activities, where exempting the church from the law would affect another person's fundamental rights.

While Washington's Charitable Trust Act contains an exemption for religious organizations, Ferguson argues that there is no reasonable ground for applying this immunity to an investigation focused on sexual abuse. Therefore, his office has the authority to investigate whether the church has misused charitable trust funds to cover up systemic sexual abuse and shield abusive priests.

Ferguson subsequently opened a formal investigation, and sent the first round of subpoenas to the Seattle, Spokane and Yakima dioceses in summer of 2023.

The dioceses only responded with information that was already public. They did not fully respond to the subpoena.

The office sent a second set of subpoenas this spring seeking additional information, including accounting and financial records.

The Seattle Archdiocese refused to respond. The office filed today's petition to enforce its subpoenas as a result.

The office has not yet taken action against the Spokane and Yakima dioceses, but is prepared to do so if they refuse to comply.

Investigations by other attorneys general

Including Washington, 23 state attorneys general have announced investigations into the Catholic Church – 27 have not.

In the past five years, six states have produced reports detailing their findings. Many investigations are ongoing.

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Washington's Attorney General serves the people and the state of Washington. As the state's largest law firm, the Attorney General's Office provides legal representation to every state agency, board, and commission in Washington. Additionally, the Office serves the people directly by enforcing consumer protection, civil rights, and environmental protection laws. The Office also prosecutes elder abuse, Medicaid fraud, and handles sexually violent predator cases in 38 of Washington's 39 counties. Visit www.atg.wa.gov (<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.atg.wa.gov%2F&data=04%7C01%7Cbrionna.aho%40atg.wa.gov%7Cca1de901495e4dbe44e808d938325a7e%7C2cc5baaf3b9742c9bcb8392cad34af3f%7C>) to learn more.

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General contacts: Click here (<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.atg.wa.gov%2Fcontact-us&data=02%7C01%7Cask4isd%40atg.wa.gov%7C0bf096ab891d45ee964608d812417366%7C2cc5baaf3b9742c9bcb8392cad34af3f%7C0%7C0%7C637279419610422508&sdata=Pzl>)

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